

CITY OF MILFORD  
REGULAR MEETING  
AUGUST 7, 2007  
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Community Room in said City on the 7<sup>th</sup> day of August 2007 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Rick Fortune, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken, Maintenance Supt. Mark Frey; City Clerk Jeanne Hoggins. Absent: Bruha. Also present: Larry Lindquist, Wayne & Judy Stohlman, Jim & Becky Stutzman, Glenda Maury, LeAnn Troyer, Steve Carritt, Gerry Dunlap, Larry Jantze and Nancy McGill with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**CALL TO ORDER:** Mayor Plessel called the meeting to order at 7:34 p.m. Mayor Plessel publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Community Room.

**MINUTES:** A motion was made by Baker and seconded by Neal to approve the minutes of the July 3, 2007 meeting. Roll call vote: Baker yes, Neal yes, Bruha absent, Fortune yes. Motion carried. A motion was made by Fortune and seconded by Baker to approve the minutes of the July 12, 2007 meeting. Roll call vote: Fortune yes, Baker yes, Bruha absent, Neal yes. Motion carried. Councilmember Bruha arrived.

**PAYMENT OF BILLS AND BOND INTEREST:** A motion was made by Neal and seconded by Bruha that the following bills in the amount of \$78,668.55, bond interest of 2,916.32, totaling \$81,584.87 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Bruha yes, Baker yes, Fortune yes. Motion carried.

**SALARIES:**

44527	Mark Frey	1306.37
44528	Forrest K Siebken	1240.98

44529	Mavis Lynn Ferris	41.37
44530	Jeanne M Hoggins	1275.21
44531	Gary Lee TeSelle	1021.89
44532	Scott Dean Fosler	935.35
44533	Robert L Hull	1098.32
44534	Beverly J Wehrs	455.68
44535	Edna A Riedl	290.92
44536	David R Dahle	914.08
44537	Louis J Bialas	942.59
44538	Bryce C Johnson	1173.13
44539	Philip Winkelmann	976.67
44540	Whitney Page	464.80
44541	Elizabeth A Dierberger	571.32
44542	George Matzen	188.60
44543	Joshua S Wiley	185.85
44544	Tracy L Yeackley	591.80
44545	Darrin D Velder	493.84
44546	Nicholas D Bernasek	227.55
44547	Joshua Steven TeSelle	590.90
44548	Erika S Hartwig	234.20
44549	Brett Allan Muller	407.59
44550	Alexander WD Hull	397.25
44551	Paige M McAvoy	374.90
44552	Whitney J Lauber	441.57
44553	Amanda Welch	396.21
44612	Mark Frey	1306.37
44613	Forrest K Siebken	1240.98
44614	Mavis Lynn Ferris	35.46
44615	Jeanne M Hoggins	1275.21
44616	Gary Lee TeSelle	782.73
44617	Scott Dean Fosler	935.35
44618	Robert L Hull	805.74
44619	Beverly J Wehrs	455.68
44620	Edna A Riedl	368.82
44621	David R Dahle	929.79
44622	Louis J Bialas	885.25
44623	Bryce C Johnson	896.87
44624	Philip Winkelmann	963.55
44625	Whitney Page	464.80
44626	Elizabeth Dierberger	571.32
44627	George A Matzen	230.24
44628	Joshua S Wiley	87.62

44629	Tracy Yeackley	560.36
44630	Darrin D Velder	461.80
44631	Julia M Wang	131.43
44632	Nicholas D Bernasek	212.61
44633	Josh Steven TeSelle	572.34
44634	Erika S Hartwig	295.48
44635	Brett Allan Muller	233.85
44636	Alexander W.D. Hull	360.86
44637	Paige M McAvoy	462.10
44638	Whitney J Lauber	213.22
44639	Amanda Welch	496.01
44640	Jenna M Jolly	282.78
44641	Hannah Troyer	26.32
44648	Mark Frey	1306.37
44649	Forrest K Siebken	1240.98
44650	Mavis Lynn Ferris	35.46
44651	Jeanne M Hoggins	1275.21
44652	Gary Lee TeSelle	958.18
44653	Scott Dean Fosler	935.35
44654	Robert L Hull	805.74
44655	Beverly J Wehrs	494.64
44656	Edna A Riedl	390.46
44657	David R Dahle	1005.70
44658	Louis J Bialas	1002.22
44659	Bryce C Johnson	896.87
44660	Philip Winkelmann	892.67
44661	Whitney Page	464.80
44662	Elizabeth Dierberger	571.32
44663	George A Matzen	233.45
44664	Joshua S Wiley	106.20
44665	Tracy L Yeackley	615.35
44666	Darrin D Velder	411.18
44667	Julia M Wang	87.62
44668	Nicholas D Bernasek	257.39
44669	Josh Steven TeSelle	365.06
44670	Erika S Hartwig	291.65
44671	Brett Allan Muller	257.54
44672	Alexander W.D. Hull	397.25
44673	Paige M McAvoy	285.41
44674	Whitney J Lauber	264.63
44675	Amanda Welch	294.88
44676	Jenna M Jolly	497.53

44677	Hannah L Troyer	58.18
44643	Joyce Elaine Plessel	184.70
44644	Ricky Gene Fortune	138.52
44645	Dean Alan Bruha	138.52
44646	Emerson L Neal	138.52
44647	Jeffrey M Baker	138.52

**GENERAL FUND:**

44517	US Postmaster – Utility Billing Postage	166.05
44518	Morgan Buckley – WA/SW Deposit Refund	11.12
44519	Justin Coulter – WA/SW Deposit Refund	25.00
44520	Brad June – WA/SW Deposit Refund	3.39
44521	Roger Keith – WA/SW Deposit Refund	25.00
44522	VOID	
44523	Robert Mattson – WA/SW Deposit Refund	9.74
44524	Michael Thies – WA/SW Deposit Refund	25.00
44525	Eric Watts – WA/SW Deposit Refund	25.00
44554	Ameritas Group – Pension	1540.48
44555	NWEA – Heartland Operators Conference	55.00
44556	Ameritas Group – Dental & Vision	1093.40
44557	Alltel – Cellular	134.63
44558	Windstream – Long Distance	6.63
44559	Aramark – Pants & Rags	336.52
44560	Assured Fire Protection – Fire Extinguisher Maint.	297.00
44561	Blue River Transmissions – Freon and A/C Sealant	150.18
44562	Bob’s Automotive – Exhaust Pipe	65.00
44563	Butch’s Welding – Labor, Angle & Service Call	52.92
44564	Culligan Water – Soft Water	54.00
44565	Farmers Cooperative – Gas/Diesel for June	1415.86
44566	D & D Communications – Labor, Chassis, Gasket	204.42
44567	Deep Rock – Drinking Water	10.11
44568	Don’s Pioneer Uniform – Uniform Shirts & Pants	456.89
44569	Eakes Office Plus – Copier Contract	88.00
44570	EMP – Gloves, Bags, Sheets	504.64
44571	G&P Development – 2 Loads	30.34
44572	The Garbage Co – Garbage Pickup	138.82
44573	Great Plains One-Call – Locate Requests	27.92
44574	Goldsmith Tree Service – Tree Stump Removal	664.50
44575	Hawkins Inc. – Phosphate acid-reducer	35.31
44576	Healthplan Services – Healthplan Insurance	7758.12
44577	Johnson Service Company – Clean TV & Post Cutting	5234.35
44578	Meyer-Century Labs – Jumbo Tissue	349.25
44579	George Matzen – Summer Reading Program	324.28

44580	Menard's – Hammer Drill, Roller & Paint	185.52
44581	Milford Plumbing – Rodeo Line	106.50
44582	Milford Supermarket – Food, supplies	35.92
44583	Milford Volunteer Fire Dept – Fire School Food	111.99
44584	Midwest Radar & Equipment – 3 Radar Recertification	75.00
44585	VOID	
44586	Brett Muller – 2 Games	70.00
44587	NE Dept of Revenue – Sales tax for June	2120.83
44588	NE Motor Parts – Funnel, seal, red cap, mirror	129.23
44589	NPPD – Service for June	5761.61
44590	NE Tech & Telecomm – Service for June	424.52
44591	NE Code Consulting – 51 Inspections & Consultation	1630.00
44592	Aquila – Service for June	1699.71
44593	Pizza Kitchen – June 14 <sup>th</sup> Noon Meal	62.50
44594	Poolmart – Brass Rope Hooks	61.70
44595	MSMSS Rogge Ent – Final for Draw Work	1850.00
44596	Roxanne Roth – Cleaning Services	250.00
44597	Mrs. Wayne Roth – Birthday Cake	16.00
44598	Sam's Club – Candy for Pool	1305.22
44599	Seward Co Ind – Time Cards, Notices, Minutes	225.40
44600	SPPD – Wells 1 & 2	291.06
44601	Meyer Ford – Replace Water Pump, Oil Change	240.59
44602	Stutzman Digging – Work in Ally Behind DQ	2406.87
44603	TCA Outdoor Power – Spindle Sleeve, Frt	247.42
44604	Sunrise Country Manor – Meals for June	845.00
44605	Wergins Lawn Service – B St & Sr Center Fertilize	80.00
44606	Windstream – Local/Internet, Pool, Library, Civil Def.	310.95
44607	Windstream – Yellow Pages Ad	14.15
44608	Zim International – Bug-Off	150.97
44609	Diode Communications – Internet for Sewer Plant	288.32
44610	Dan Pickerall – Suction Hose, Coupler	97.52
44611	Donna Havener – Weed Cover Roll for Sewer	217.21
44642	Ameritas – Pension	1540.48
44678	Ameritas – Pension	1540.48
44679	Ackerman Rock & Gravel – 2 Loads of Gravel	1854.16
44680	AFLAC – Dis, Cancer, Acc, Suppl	406.26
44681	ATCO International – Screen (Bug Spray)	150.40
44682	Blevens Law Office – Legal Services for July	350.00
44683	Bonsall Pool Co – Chemical	35.80
44684	City of Milford – Petty Cash	50.18
44685	D & D Communications – Labor, Keypad, Shipping	169.06
44686	Drummond American Corp – Styrene Stain	160.53

44687	Insurenebraska – Secretary Bond Renewal – Tracy	175.00
44688	Follett Software – Support Web Collection	180.00
44689	Fort Dearborn Life Insurance – Life Insurance	116.96
44690	Hawkins – Chlor, Frt, Tax	1939.97
44691	Holiday Inn – Rooms for NEMSA Conf	890.94
44692	Holiday Inn – Sewer Meeting	91.71
44693	Ingram Library Services – 26 Books	380.07
44694	Inland Truck Parts – Lengthen Drive Shaft	162.19
44695	Kelly Supply Co – Coup, Clamp, Nut	270.30
44696	LESCO – Saw Tree Wolf	41.41
44697	Lincoln Glass Inc. – Window	160.00
44698	VOID	
44699	Menards – Hammer Drill	64.97
44700	Milford Chamber of Commerce – Trash Removal	211.87
44701	Milford School Dist – Parking Fines and Liquor Lic	70.00
44702	MVFD – Food @ NEMSA	179.93
44703	Municipal Supply – Coupling, Frt, Tax	117.05
44704	Mutual Disability – Disability	79.33
44705	NPPD – Nitrate, Coliform	52.00
44706	Office Depot – 16 Port Switch, Photo Paper	256.93
44707	Edna Riedl – Mileage to Beatrice	59.66
44708	Roxanne Roth – Cleaning Services	320.00
44709	Seward Co Ind – Ad for Library Clerk	67.18
44710	Meyer Ford – Oil Change	24.95
44711	Shell Fleet Plus – Fuel Expense	683.48
44712	Stutzman Digging – Exposed Water Main, Sewer Line	8422.58
44713	Subway Motors – Headliner, Gasket, Switch, Labor	587.06
44714	TeSelle Service – Water Meeting Mileage	111.55
44715	Union Bank – Gary Teselle Acct	300.00
44716	Van Diests Supply – Mosquito Spray	1740.00
44717	Walmart Community – Ink Cartridges, Paper Supplies	203.39
44718	Watchguard Video – 4 Mic Leads	86.00
44719	Windstream – Paging-Wide Area, Local	27.25
44720	Windstream – Yellow Pages	14.15
44721	Zep Mfg – Zep Sewer Aid	348.46
44722	Taylor Klein – Umpire 2 Games	40.00
44723	LTR Towing – Tow Engine 30	331.00
44724	The Sprinkler Guy – Service Call	50.00
44725	Veranda – 1 year subscription	15.00

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Milford Aging Services Commission minutes for July 24, 2007; Board of Adjustment minutes from July 23, 2007; Fire Dept.

minutes from July 10, 2007; Police Dept. Activity Report for July 2007 and MVFD Fire and Rescue NARSIS reports for June and July 2007. Neal – Park Board will be meeting for the first time this Thursday at 7:00 pm. Chief Siebken reviewed the July Police Dept. activity report. Wayne Stohlman had one siren not rotating, but it has been looked at.

**COMMUNICATIONS:** \*Sales tax received for the month of May 2007 was \$11,867.06. \*Resignation letter received from Erika Hartwig with her last day being August 3, 2007.

**UNFINISHED BUSINESS:**

**Feasibility Study for Assisted Living Facility, Economic Development:**

This item was tabled after some discussion last month. The Economic Development approved the concept of the feasibility study but the City had some reservations about footing the entire \$6,000. A partnership was created with the idea of the Economic Development paying 1/3 of the fee and private investors paying 2/3. The first step would allow the feasibility study to take place. A motion was made by Bruha to allow \$2,000.00 of the Economic Funds to be used for the feasibility study with the other \$4,000.00 provided by private investors. Gerry Dunlap clarified how the reimbursement of the \$6,000.00 would happen. If the feasibility study showed positive results for Milford to support an assisted living facility and investors agreed to support the project, then the \$6,000.00 would be reimbursed. Only if the project is completed will the study funds be reimbursed. If the project cannot move forward than all involved will loose the \$6,000.00. A projection of property taxes needed would be \$83,759.00. Judy Stohlman stated that there are currently facilities in Broken Bow, O'Neill and Gothenburg. Studies show that approximately 45 people occupying the facility will create a positive flow of income and success. The actual feasibility study will be handled thru a consulting firm out of Kansas City. The motion was then seconded by Neal. Roll call vote: Bruha yes, Neal yes, Baker yes, Fortune yes. Motion carried.

**NEW BUSINESS:**

**Review and approve E911 Budget:** Item not ready for discussion.

**Police in General – Jack Zimmerman:** Jack not present.

**Introduction and Adoption of Ordinance – Vacate alley east of “B” Street between 6<sup>th</sup> and 7<sup>th</sup> Streets:** Steve Carritt approached the Board of Adjustments with a variance request to add onto his current storage garage. The request was denied, but a suggestion was made to vacate the alley adding 10’ to the Carritt property, which would allow him to meet his required setbacks. A motion was made by Bruha and seconded by Fortune to introduce the following ordinance:

## ORDINANCE NO. 793

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA TO VACATE THE ALLEY LYING EAST OF B STREET AND BETWEEN SIXTH AND SEVENTH STREET IN THE CITY OF MILFORD, SEWARD COUNTY, NEBRASKA; TO RETAIN AN EASEMENT OVER AND ACROSS SAID ABANDONED ALLEY FOR LOCATION OF WATER, SEWER, ELECTRICAL, TELEPHONE, AND OTHER MUNICIPAL PURPOSES; TO PROVIDE THE MANNER FOR DETERMINATION OF DAMAGES BY CITIZENS OF THE CITY OR BY OWNERS OF PROPERTY THEREIN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Create sidewalk improvement district – west side of “D” Street and west side of “F” Street north of Hwy 6:** Bruha noted after the Hwy study it was recommended to move the yellow flashing lights to First Street in front of the Elementary School and place striping across the Hwy. Bruha consulted with the Council regarding creating a sidewalk improvement district along the west side of “F” Street and the west side of “D” Street just north of Hwy 6. “F” Street is 66’ wide and the west side of the street in question has bushes and a fence which are probably in the public right-of-way. “D” Street is an unusual situation due to the right-of-way being different in width on the west side compared to the east side. Sean Kremer will need to be approached about placement of the sidewalk. There is also an open ditch which will require the culvert to be extended westward for sidewalk placement. Mayor Plessel questioned whether a sidewalk was present on the south side of Hwy 6 on “F” Street. Bruha answered yes. The additional sidewalk needed to complete a safe route to the schools is only ½ block at each location. Neal questioned Bruha as to what the City would gain by creating a sidewalk district. Bruha clarified after notifying the property owners and requesting they put in the sidewalks, if they do not respond, then the City can go in and do the work and assess the cost back to the property owner. The council asked Bruha if he had any idea of the cost involved. Bruha didn’t have any estimates of cost. Fortune suggested taking the path with the least resistance. The Council discussed the lack of space available along the west side of “D” Street. It was suggested to approach Sean Kremer about giving up some of his property if the City would absorb the cost of the sidewalk. A survey would need to be done and a deed dedicating the property towards public street/right-of-way. Blevens questioned if there were design standards which would prevent sidewalks along the Hwy. Bruha will approach Sean Kremer regarding cost sharing and bring information back the next Council meeting.

**Approve Initial Order for Webermeier Scholarships:** A motion was made by Neal and seconded by Fortune to approve the initial order of 26 scholarships for the first semester of the 2007-2008 school year at \$538.50 a piece, totaling approx. \$14,000.00. Roll call vote: Neal yes, Fortune yes, Baker yes, Bruha yes. Motion carried.

**ADJOURNMENT:** A motion was made by Bruha and seconded by Baker to adjourn the meeting. Roll call vote: Bruha yes, Baker yes, Fortune yes, Neal yes. Motion carried and meeting adjourned at 8:23 pm.

---

Jeanne Hoggins, City Clerk

---

J. Elaine Plessel, Mayor

### CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on August 7, 2007 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

---

Jeanne Hoggins, City Clerk